

## R E M A R K S

Applicants respectfully request further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-9 and 11-15 were previously pending in this application. Within the Office Action, Claims 1-9 and 11-15 are rejected. By the above amendments, Claims 1, 4, 9, and 15 are amended. Accordingly, Claims 1-9 and 11-15 are now pending in this application.

The Applicants wish to thank the Examiner for his time and courteousness during the telephone interview on Thursday, July 21, 2005, during which the claim rejections to U.S. Patent No. 5,970,133 issued to Salimando in view of U.S. Patent No. 6,289,090 issued to Tessler et al. (hereinafter "Tessler") were discussed. By the above amendments, the independent Claims 1, 4, and 9 are amended according to the proposed amendments discussed during the telephone interview. As acknowledged in the telephone interview, the Examiner believes that these amendments are sufficient to overcome the rejections based on Salimando in view of Tessler. For at least the reasons stated during the telephone interview, and again repeated below, the Applicants contend that the Claims 1-9 and 11-15, as amended, are in a condition for allowance.

Dependent Claim 15 is amended to change its claim dependency from previously canceled Claim 10 to Claim 9.

### **Rejections Under 35 U.S.C. § 103**

#### **Claims 1-8**

Within the Office Action, Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler. The Applicants respectfully traverse this rejection.

The present invention is directed to an audible confirmation system that utilizes an intelligent network architecture 100. The intelligent network architecture 100 includes data links (indicated by solid lines in Figure 1) and control links (indicated by dashed lines in Figure 1). A signal control point 110 provides control signals via the control links. These control signals are

directed to a calling name database 130, switches 150 and 160, and a text to speech converter 140. Data links are provided for voice, or audio transmission. The caller 170, the switches 150 and 160, the calling name database 130, and the text to speech converter 140 are all coupled using data links. The signal control point 110 is not directly coupled to either the caller 170, the switches 150 and 160, the calling name database 130, or the text to speech converter 140 using a data link. The signal control point is independent of a call routing path (from the caller 170, through the switches 150 and/or 160, to a called party), and the signal control point is independent of any data paths (data links) between the calling party 170, the calling name database 130, and the text to speech converter 140. The signal control point 110 functions as a single point of control through which the functions of establishing a call routing path, matching a unique identifier (a telephone number) to an associated text name in a database, converting the matched text name to an audible name, and playing the converted audible name to the caller are controlled.

Salimando teaches a communication network including an exchange carrier network 10, a calling router 50 connected to a calling party 70, and a called router 60 connected to a called party 80. The exchange carrier network includes a switching system 20 that performs call processing and routing functions for calling party 70 and called party 80. A calling party 70 initiates a call through the calling router 50. The switching system 20 receives the call, extracts call information from the call, and accesses information from a database 40 specific to the called party 80. A portion of the accessed information is passed to an announcement system 30 to be converted from text to voice signals. The announcement system 30 transmits the converted voice signals to the calling party 70.

It is acknowledged in the Office Action that Salimando does not teach a control point that is independent of the database 40. However, Tessler is cited for disclosing a control point that is independent of the database, and that it would have been obvious to one of ordinary skill in the art to modify Salimando with a system wherein the control point is independent of the database as taught by Tessler. The Applicants contend that such a proposed combination would result in a system different than that claimed by the Applicants. Specifically, the proposed combination of Salimando in view of Tessler results in control functionality being distributed between both the switching system 20 of Salimando and the signal control point 104 of Tessler. In contrast, the present invention is directed to a single point of control, the signal control point 110.

The proposed combination of Salimando and Tessler suggests that the database 40 of Salimando is replaced by the SCP 104 of Tessler, where the database information previously stored on the database 40 of Salimando is moved to the switching system 20 of Salimando, as suggested in column 10, lines 13-15 of Tessler. In such a combination, the SCP 104 of Tessler is independent of the database, where the database resides within the switching system 20 of Salimando (see Figure 1 of Salimando). However, Salimando teaches that control functionality also resides in both the switching system 20 and the database 40. Column 3, lines 22-24 of Salimando teaches that

“Switching system 20 and database 40 serve together to process, store, update and retrieve necessary data needed to complete a call.”

The proposed combination of Salimando in view of Tessler is intended to provide two functions. First, provide a call routing path between the calling party 70 and the called party 80. This first function is controlled by the database 40, which includes a control point (NCP) (Salimando, col. 3, lines 14-15). This control functionality is replaced by the SCP 104 of Tessler in the proposed combination. The second intended function of the Salimando in view of Tessler combination is to provide text to speech conversion of a text name that matches a telephone number input by the calling party 70 and to provide the resulting audible name to the calling party 70 before the telephone call is connected to the called party 80. This second function is performed by the switching system 20 of Salimando, as supported in column 3, lines 24-28 of Salimando, which teaches:

“Switching system 20 and announcement system 30 of the present invention serve together to convert and provide a part of the retrieved data to an announcement in a fraction of a second to calling party 70 before the completion of the call.

In summary, Salimando teaches control functionality distributed between two elements, the database 40 (for establishing the call routing path) and the switching system 20 (for initiating text to speech conversion by the announcement system 30 and for providing an audible name to the calling party 70). Even if the database 40 of Salimando is replaced by the SCP 104 of

Tessler, as proposed, the combination still necessitates that the SCP 104 (Tessler) maintains control of the call routing function, and the switching system 20 (Salimando) maintains control of the text to speech conversion and playing the resulting audible name to the calling party. In other words, the proposed combination results in two distinct control points.

The independent Claim 1 is amended such that “the signal control point independent of and configured to control a call routing path and independent of and configured to control a data path between the calling party, the database, and a text to speech converter.” The signal control point provides control over the two functions described above, the call routing path and the data path (for providing text to speech conversion).

Further, the independent Claim 1 is also amended to include “wherein the database is independent of the call routing path.” In the proposed combination of Salimando in view of Tessler, the database 40 is moved to the switching system 20 when the database 40 of Salimando is replaced by the SCP 104 of Tessler. When the database 40 is moved to the switching system 20, the database now resides in the call routing path between the calling party 70 and the called party 80. Therefore, the proposed combination of Salimando in view of Tessler does not teach a database independent of the call routing path.

The independent Claim 4 is amended similarly to independent Claim 1. For at least the reasons stated above, the independent Claims 1 and 4 are allowable over Salimando in view of Tessler.

Claims 2 and 3 are each dependent upon the independent Claim 1. As discussed above, Claim 1 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 2 and 3 are each also allowable as being dependent upon an allowable base claim.

Claims 5 and 6 are each dependent upon the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claims 5 and 6 are each also allowable as being dependent upon an allowable base claim.

Within the Office Action, Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler, and further in view of U.S. Patent No. 6,078,655 issued to Fahrer et al. (hereinafter “Fahrer”). The Applicants respectfully traverse this rejection.

Claim 7 is dependent on the independent Claim 4. As discussed above, Claim 4 is

allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 7 is also allowable as being dependent on an allowable base claim.

Within the Office Action, Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Salimando in view of Tessler and Fahrner, in further view of U.S. Patent No. 6,650,737 issued to Finnigan. The Applicants respectfully traverse this rejection.

Claim 8 is dependent on the independent Claim 4. As discussed above, Claim 4 is allowable over the teachings of Salimando in view of Tessler. Accordingly, Claim 8 is also allowable as being dependent on an allowable base claim.

#### **Claims 9-15**

Within the Office Action, Claims 9-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,650,737 issued to Finnigan in view of Salimando combined with Tessler. The Applicants respectfully traverse this rejection.

Within the Office Action, Finnigan is cited for pre-recording a voice message by the calling party directed to an identifier belonging to the call recipient. It is acknowledged that Finnigan does not disclose matching the identifier to a text name corresponding to the call recipient by a signal control point independent of a call routing path and independent of a data path between the calling party and a text to speech converter, wherein the identifier and the text name are stored within the database and converting the text name of the call recipient to an audible name, and the signal control point is independent of the database. However, Salimando in view of Tessler is cited for teaching these limitations.

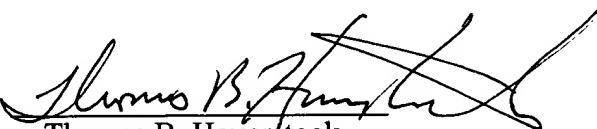
By the above amendments, the independent Claim 9 is amended similarly to that of amended independent Claims 1 and 4. As such, for at least the same reasons as those discussed above in regard to Claim 1, the amended independent Claim 9 is allowable.

Claims 11-15 are dependent on the independent Claim 9. As discussed above, Claim 9 is allowable over the teachings of Finnigan, Salimando, Tessler, and their combination. Accordingly, Claims 11-15 are each also allowable as being dependent on an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,  
HAVERSTOCK & OWENS LLP

Dated: 7-22-05

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**CERTIFICATE OF MAILING (37 CFR § 1.8(a))**

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